

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BEN WALKER,

Plaintiff,

v.

COURT OF COMMON PLEAS OF
MONROE COUNTY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:12-CV-2206

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW this 29th day of May, 2013, after consideration of Magistrate Judge Martin C. Carlson's Report and Recommendation (Doc. 28) and Plaintiff Ben Walker's objections (Doc. 31), **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 28) is **ADOPTED**.
- (2) Plaintiff's Motion for Default Judgment (Doc. 12) is **DENIED**.
- (3) The County Defendants' Motion to Strike Plaintiff's Motion for Default Judgment (Doc. 15) is **DISMISSED AS MOOT**.
- (4) The Judicial Defendants' Motion to Dismiss (Doc. 17) is **GRANTED**.
- (5) The County Defendants' Motion to Dismiss (Doc. 20) is **GRANTED**.
- (6) The Judicial Defendants' Motion for Enlargement of Time (Doc. 14) is **DISMISSED AS MOOT**.
- (7) Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**. Plaintiff has twenty-one (21) days from the date of entry of this Order to file a single comprehensive amended complaint consistent with the Court's Memorandum. If he fails to do so, the action will be dismissed with prejudice and the case will be closed.
- (8) The matter is **RECOMMITTED** to the Magistrate Judge.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge